

Application Serial No.: 10/799,503  
Attorney Docket No.: 0160113

**REMARKS**

This is in response to the *Non-Final* Office Action of June 18, 2010, where the Examiner has rejected claims 1, 3-12, 14-22, 24-28 and 30-50. By the present amendment, applicant has amended claims 1, 4-10, 12, 14-20, 22, 24-26, 28 and 30-32. After the present amendment, claims 1, 3-12, 14-22, 24-28 and 30-50 are pending in the present application. Reconsideration and allowance of outstanding claims 1, 3-12, 14-22, 24-28 and 30-50 in view of the following remarks are requested.

A. **Rejection of Claims 1, 3-10, 12, 14-20, 22, 24-26, 28, 30-32 and 34-50 under 35 USC §102(b)**

The Examiner has rejected claims 1, 3-10, 12, 14-20, 22, 24-26, 28, 30-32 and 34-50, under 35 USC §102(b), as being anticipated by Kroon (USPN 5,664,055) ("Kroon").

Applicant appreciates the Examiner's time and courteous interview conducted on October 18, 2010. Based on the discussion with the Examiner, applicant has amended independent claim 1 to further recite:

wherein each of said plurality of voicing indexes provides information from said encoder to said decoder for controlling one of an adaptive highpass filter, an adaptive perceptual weighting filter, an adaptive Sinc window by said decoder, a spectrum tilt of said input speech signal by short-term enhancement of a fixed-codebook, a perceptual weighting filter, a linear prediction coder, a pitch enhancement fixed-codebook and a post pitch enhancement.

Applicant respectfully submits that Kroon fails to disclose, teach or suggest transmitting each of said plurality of voicing indexes as part of each of said plurality of CELP speech frames and in addition to said CELP coding parameters including line spectral frequencies, pitch, fixed

Application Serial No.: 10/799,503  
Attorney Docket No.: 0160113

codebook gain, adaptive codebook gain and fixed codebook parameters, where each of said plurality of voicing indexes provides information from said encoder to said decoder for controlling one of an adaptive highpass filter, an adaptive perceptual weighting filter, an adaptive Sinc window by said decoder, a spectrum tilt of said input speech signal by short-term enhancement of a fixed-codebook, a perceptual weighting filter, a linear prediction coder, a pitch enhancement fixed-codebook and a post pitch enhancement. It is respectfully submitted that the “index” referenced in Kroon is simply a codebook index, which is a CELP parameter. In contrast, claim 1 has been amended to further recite that the voicing index is transmitted in addition to CELP parameters, and the voicing index controls one of an adaptive highpass filter, an adaptive perceptual weighting filter, an adaptive Sinc window by said decoder, a spectrum tilt of said input speech signal by short-term enhancement of a fixed-codebook, a perceptual weighting filter, a linear prediction coder, a pitch enhancement fixed-codebook and a post pitch enhancement.

Accordingly, for the reasons stated above, it is respectfully submitted that claim 1, as amended, is patentable over Kroon. In addition, independent claims 12, 22 and 28 include limitations similar to those of claim 1, as amended, and should be allowed for the same reasons stated above. Further, claims 3-10, 14-20, 24-26, 30-32 and 34-50 depend from claims 1, 12, 22 and 28, respectively, and should be allowed at least for the reasons stated above.

**B. Rejection of Claims 11, 21, 27 and 33 under 35 USC §103(a)**

The Examiner has rejected claims 11, 21, 27 and 33, under 35 USC §102(b), as being unpatentable over Kroon in view of Morii, et al. (U.S. Pub. No. 2006/0206317) (“Morii”).

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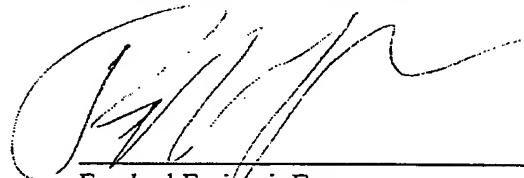
Application Serial No.: 10/799,503  
Attorney Docket No.: 0160113

It is respectfully submitted that claims 11, 21, 27 and 33 depend from independent claims 1, 12, 22 and 28, respectively, and should be allowed at least for the reasons stated above.

C. Conclusion

Based on the foregoing reasons, an early Notice of Allowance directed to all claims 1, 3-12, 14-22, 24-28 and 30-50 pending in the present application is respectfully requested.

Respectfully Submitted,  
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